

Everytown for Gun Safety Support Fund et al. v. Bureau of Alcohol, Tobacco, Firearms
and Explosives et al., No. 21-CV-00376

Dear Judge Carter:

Pursuant to Your Honor's Individual Rule 1.D, the parties in the above-captioned case jointly request an extension of the briefing schedule for early cross motions for summary judgment endorsed by Your Honor on June 22, 2021. (ECF No. 31.) This is the second request for an extension.

On April 23, 2021, Defendants produced the administrative record to Plaintiffs. (ECF No. 23.) On April 26, 2021, the Court granted Defendants' motion to seal and for a protective order, and Defendants filed the administrative record on the docket. (ECF Nos. 28, 29.) In the days following the production of the administrative record, Plaintiffs raised a concern to Defendants that certain documents might be missing from the administrative record that was produced. In a letter to Defendants dated May 12, 2021, Plaintiffs formally sought clarification as to the record's completeness and identified classes of documents that may have inadvertently been excluded. On June 17, 2021, Defendants advised that they were conducting an email review, and would either confirm that the administrative record produced on April 23 was complete, or supplement the record as necessary. On June 21, 2021, the parties jointly requested a 6-week extension of the briefing schedule so that Plaintiffs could file their opening brief after receipt of the complete administrative record. (ECF No. 30.)

Yesterday Defendants produced to Plaintiffs via email 266 pages of supplemental documents, which Defendants will also file on the docket. So that Plaintiffs have sufficient time to review and incorporate the new documents into their opening motion, the parties jointly request a 1-week extension of the briefing schedule.

Specifically, the parties have agreed to the following schedule, subject to the Court's approval: (a) Plaintiffs will file their motion for summary judgment by August 13, 2021 (adjourned from August 6, 2021); (b) Defendants will file their cross-motion for summary judgment and opposition by September 24, 2021 (adjourned from September 17, 2021); (c) Plaintiffs will file their reply and/or opposition in a single brief by October 22, 2021 (adjourned from October 15, 2021); and (d) Defendants will file their reply by November 12, 2021 (adjourned from November 5, 2021).

The parties respectfully request that the Court endorse their proposed extension of the briefing schedule.

Dated: August 3, 2021

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